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10/052,645	01/19/2002	Catherine Lin-Hendel		5605

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EXAMINER

MIZAN, SHAHIN

ART UNIT PAPER NUMBER

2132

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/052,645

Applicant(s)

LIN-HENDEL, CATHERINE

Examiner

Shahin Mizan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19/01/02 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_

**DETAILED ACTION*****Drawings***

1. The drawings are objected to because Figure 2 indicates a "bobby trap directory 88"; however, it is believed by the examiner that the label should read "booby-trap directory 88", as that is what is disclosed in the specifications. Appropriate corrections are required. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 8-16, and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Nash (UK #2,322,035).

As per independent claim 1, Nash teaches a virus and intrusion protection apparatus (*see the Abstract*) for use with a computer comprising:

a dedicated network board (*note page 2, paragraph 5 - the second computer functions as a dedicated network board; also note page 7, paragraph 4 - network board can be implemented as one or more computer expansion cards*) exclusively for external communications with the World-Wide-Web (*note abstract, in addition to page 1, paragraph 1 - the arrangement is used with e-mail and the Internet*), email and other external networks (*note page 6, paragraph 4 - any user on the network can send and receive e-mail via the external telecommunication network as well as e-mail from any one of the computers connected to its local network*); and

a switch (*note page 3, paragraph 2 in addition to page 5, paragraphs 4 and 5 - the switch functionality is described as a software or hardware or combination of both or mechanical device or toggle switch*) connecting the dedicated network board and a main core (*described as first computer on page 3, paragraph 1*) of the computer wherein when the switch is open, the main core of the computer is disconnected from the dedicated network board and the World-Wide-Web, email and other external networks (*note page 5, paragraphs 3 - if a data path exists between the said second computer and the modem or the modem and the telecommunication network or*

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*both, then another data path between the second computer and the first computer is inhibited or broken and if the data path between the two computers is established, the data path between the computer and the modem or the modem and the telecommunications network, must be broken).*

As per claim 2, which is dependent on claim 1, Nash teaches the apparatus according to claim 1, wherein the dedicated network board includes: a central processing unit (CPU) (*note page 8, paragraph 2 - separate processors equate to separate CPUs*); cache; memory; and communications ports and software for communicating with the World-Wide-Web, email and other external networks (*note page 2, paragraph 5 as well as page 8, paragraph 2 - the second computer/expansion board inherently includes a CPU, cache, memory, communication ports and software for communicating with external networks, otherwise the device would be rendered inoperable to do the functions it claims to do*).

As per claim 3, which is dependent on claim 2, Nash teaches the apparatus according to claim 2, wherein the dedicated network board further includes a modem (*note page 2, paragraph 5 in addition to page 7, paragraph 4 - the second computer/expansion board uses a modem to connect to a network*).

As per claim 4, which is dependent on claim 1, Nash teaches the apparatus according to claim 1, further comprising a modem coupled to the dedicated network board (*note page 2, paragraph 5 - the second computer is connected to an external network via a modem*).

As per claim 5, which is dependent on claim 1, Nash teaches the apparatus according to claim 1, wherein the dedicated network board further comprises: temporary storage media for storing information from the World-Wide-Web (*note page 3, paragraph 1 - hard disc is used as temporary storage*); email software for sending and receiving email (*note*

*page 7, paragraph 1 – sending and reception of e-mail capabilities described); web access programs for communicating with the World-Wide-Web and inspection software for emails and world-wide-web communications (note page 3, paragraphs 3 - operating program is thought to be inclusive of web access capability; and note page 4, paragraph 2 - checking routine is provided to check all files including e-mail).*

As per claim 8, which is dependent on claim 1, Nash teaches the apparatus according to claim 1, wherein when transferring data from the dedicated network board to the main core, a connection to the World-Wide-Web, the email or the other external network is severed (*note page 5, paragraph 3 - the data path between second computer and telecommunication network is broken*), the computer commands the switch to close and thereafter data is transferred from the temporary storage media to storage media of the main core (*note page 5, paragraphs 4 - the switch is closed to make one path which could be interpreted as connection between the second computer and first computer to download data from second computer or buffer to the first computer*).

As per independent claim 9, Nash teaches a method for protecting a computer from a virus, hacker or worm (*note page 4, paragraph 2 - a checking routine is provided to determine the nature of each file and its contents thereby protecting the first computer from virus and worm; also note page 5, paragraph 3 - a further interlock is provided to prevent external third party such as hacker from gaining unauthorized access to the first computer*) comprising the steps of: providing a dedicated network access board exclusively for communications with World-Wide-Web, email and other external networks (*note page 2, paragraph 5 - the second computer functions as a dedicated network board*); connecting a main core of the computer to the dedicated network access board via a switch (*note page 5, paragraph 4 - mechanical device or*

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*toggle switch*); and opening the switch to connect the World-Wide-Web, the email or the other external networks to the network board via a network connection and disconnecting the World-Wide-Web, the email and the other external networks from the main core of the computer to protect the computer from the virus, the worms, or the hackers *(note page 5, paragraphs 4 - when the switch is not closed can be interpreted as connection between the second computer and external network and no connection between first and second computers; the said situation imply the first computer is disconnected from the external network thereby preventing the first computer from virus, worms, or hackers).*

As per claim 10, which is dependent on claim 9, Nash teaches the method according to claim 9, wherein the method further includes the steps of: when data is desired from the main core of the computer: severing the network connection to the World-Wide-Web, the email or the other external network; closing the switch to establish a connection between the dedicated network board and the main core of the computer; and transferring files from the dedicated network board to a storage media of the main core *(note page 5, paragraphs 3 & 4 - describes data transfer mechanism from first computer to the second computer or the network board).*

As per claim 11, which is dependent on claim 9, Nash teaches the method according to claim 9, further comprising the steps of: commanding the computer to connect to the World-Wide-Web, the email or the other external network; and in response to the commanding step, automatically opening the switch to disconnect the main core from the World-Wide-Web, the email or the other external network *(note page 5, paragraphs 3-4).*

As per claim 12, which is dependent on claim 9, Nash teaches the method according to claim 9, further comprising the steps of: when transferring clean data obtained from the World-Wide-Web, the email or the other external network to the main core: severing the network connection; closing the switch; and transfer files from the temporary storage media to the core's storage media (*note page 5, paragraphs 3-4 in addition to page 8, paragraph 4*).

As per independent claim 13, Nash teaches virus and intrusion protection apparatus (*note the Abstract*) for use with a computing unit comprising: means dedicated to exclusive external communications with World-Wide-Web (*note page 2, paragraph 5; note page 3, paragraph 1; and note page 3, paragraph 2*); and means for switching the dedicated external communications means and a main core of the computing wherein when the switching means is open, the main core of the computing unit is disconnected from the dedicated external communications means and the World-Wide-Web while communications commence with the World-Wide-Web (*note page 5, paragraphs 3-4*).

As per claim 14, which is dependent on claim 13, Nash teaches the apparatus according to claim 13, wherein the computing unit is a computer (*note the Abstract and page 2, paragraph 5 - where first computer can be interpreted as computing unit*).

As per claim 15, which is dependent on claim 14, Nash teaches the apparatus according to claim 14, wherein the dedicated external communications means includes: a central processing unit (CPU) (*note page 8, paragraph 2 - separate processors equate to separate CPUs*); cache; memory; and communications ports and software for communicating with the World-Wide-Web (*note page 2, paragraph 5 as well as page 8,*



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*paragraph 2 - the second computer/expansion board inherently includes a CPU, cache, memory, communication ports and software for communicating with external networks, otherwise the device would be rendered inoperable to do the functions it claims to do).*

As per claim 16, which is dependent on claim 15, Nash teaches the apparatus according to claim 15, wherein the dedicated external communications means further comprises: temporary storage media for storing information from the World-Wide-Web (*note page 3, paragraph 1*); email software for sending and receiving email (*note page 7, paragraph 1*); web access programs for communicating with the World-Wide-Web Web and inspection software for emails and world-wide-web communications (*note page 3, paragraphs 3 - operating program is thought to be inclusive of web access capability; and note page 4, paragraph 2 - checking routine is provided to check all files including e-mail*).

As per claim 19, which is dependent on claim 18, Nash teaches the apparatus according to claim 18, wherein when transferring data from the dedicated external communications means to the main core, a connection to the World-Wide-Web is severed, the computer commands the switching means to close and thereafter data is transferred from the temporary storage media to storage media of the main core (*note page 5, paragraph 3 - the data path between second computer and telecommunication network is broken before the data is transferred from the second computer to the first computer*).

As per claim 20, which is dependent on claim 13, Nash teaches the apparatus according to claim 13, wherein: the computing unit is a network server; and the dedicated external communications means includes: a central processing unit (CPU); cache; memory; and communications ports and software for communicating with the World-Wide-Web (*note page 6, paragraph 4 in addition to page 7, paragraphs 1-3*).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nash and in further view of Sorkin et al. (*Pub No. US 2002/0157021*). Nash differs from the claimed invention in that he inherently teaches email software and a main core comprising an email address book of email recipients (*note Abstract and page 3, paragraph 3 – the apparatus must inherently have email software in order to send and receive emails via telecommunication network and Internet*), but fails to specify that the email software comprises a booby tray address book. Sorkin et al., however, does teach this limitation in an apparatus similar to that of Nash. He indicates a trap system where fictitious file content, such as fictitious email, is generated. Sorkin et al. also teaches that email and other templates are provided which require deceptive data values such as dates and names to be inserted (*note pages 4-6, [0063], [0064], [0072], and [0083]*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the email software taught by Nash, to comprise a booby tray address book as taught by Sorkin et al., since they both teach the use of email software along with virus and intrusion protection within the same field of endeavor (*securing the main core of the computer from unwanted intrusion*) and with the same problem sought to be solved (*security protection for computers and computer networks*).

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6. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nash and in further view of Blumberg (*Pub No. US 2001/0056548*). Nash differs from the claimed invention in that he inherently teaches a temporary storage media where detection of viruses takes place (*note Abstract and page 3, paragraph 1*), but fails to specify that the dedicated network board comprises flush and reset software for flushing and resetting the temporary storage media upon detection of a virus. Blumberg et al., however, does teach this limitation in an apparatus similar to that of Nash. Blumberg et al. indicates a security machine where the different memories, including memory buffers, are erased each time (*note page 4, [0054] – erased each time is equivalent to flushing and resetting*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Nash's apparatus such that the software flush and reset the temporary storage area upon virus detection as taught by Blumberg et al., since Nash teaches the detection of viruses within a temporary storage media within the same field of endeavor (*securing the source computer by removing infected data from storage upon detection of viruses/intrusions*) and with the same problem sought to be solved (*security protection for computers and computer networks*).

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McKelvey (US Patent # 5,896,499) teaches an embedded security processor with various security programs including a web access program.

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Diament et al. (US Patent #5,969,632) teaches an information security method and apparatus.

***Inquiries***

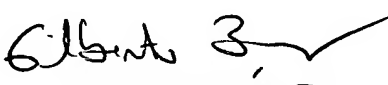
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahin Mizan whose telephone number is 571-272-0687. The examiner can normally be reached on M-F 8 a.m. - 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shahin Mizan  
Examiner  
Art Unit 2132

*SM*  
*7/18/05*

  
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